

## Article - Natural Resources

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§4-1001.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Buy boat” means any boat engaged or used in buying, selling, or transporting oysters caught by other boats.
- (c) “Chesapeake Bay” means the waters, commonly known as the Chesapeake Bay as defined by the charts of the Oyster Survey of 1906 to 1912, and its amendments.
- (d) “County waters” means the waters lying within the territorial limits of any county in the State as defined by the charts of the Oyster Survey of 1906 to 1912, and its amendments.
- (e) “Diving apparatus” means any diving equipment that is supplied with air from the surface through a hose, or diving equipment generally referred to as scuba, the use of which allows a person to catch oysters by hand beneath the water.
- (f) “Dredge” includes any dredge, scoop, scrape, or similar device used in catching oysters or clams by dragging.
- (g) “Dredge boat” means any sailboat which does not have a screw, propeller, engine, turbine, or other device for self-propulsion, used in catching oysters or clams by dredge.
- (h) “Dunnaged boat” means any boat having a false bottom, partition, ceiling, or deck, designed to diminish or having the effect of diminishing visible cargo space.
- (i) “Handscrape” means any dredge cast and hauled by hand and without any winch, winder, or spool.
- (j) “Hard-shell clams” mean mollusks of the species *Mercenaria mercenaria*.
- (k) “Harvest” means to take, kill, trap, gather, catch or in any manner reduce any hard-shell clam, soft-shell clam, or oyster to personal possession or to attempt to engage in this conduct.

(l) “Harvest reserve area” means an area designated by the Department for the restoration and harvesting of oysters on a rotational basis.

(m) “Hydraulic clam dredge” means any device used for dredging clams which consists of a manifold through which water is forced under pressure for the purpose of digging clams and working them into the mouth of the dredge where the clams then are brought up to boat level by means of an escalator. “Hydraulic clam dredge” includes the vessel on which the dredge is carried.

(n) “Marketable oyster” means any oyster measuring 3 inches or more from hinge to mouth.

(o) “Natural oyster bar” means any submerged oyster bar, reef, rock, or area represented as an oyster bar on the charts of the Oyster Survey of 1906 to 1912 and its amendments.

(p) “Packer” means any person having a fixed place of business and buying, selling, packing, shucking, or preparing oysters for sale, trade, barter, or shipment to any dealer, merchant, or retailer.

(q) “Patent tongs” means any pincers, nippers, tongs, or similar device used to catch oysters and clams raised with rope, cable, or other hoisting gear.

(r) “Shinnecock rake” means a tool used to catch hard-shell clams or oysters that:

(1) Is towed from a vessel under power; and

(2) Consists of a tooth bar with projecting long, outwardly, and upwardly curving teeth which are progressively smaller towards the ends, form a basket, and are set transversely at the end of a long, usually wooden handle.

(s) “Soft-shell clams” means mollusks of the species *Mya arenaria* and of the species Genus *Tagelus*.

(t) (1) “Tong” means any pincers, nippers, tongs, or similar device used in catching oysters and clams and consisting of 2 shafts or handles and a metal body composed of 2 opposable and complementary baskets that:

(i) Are opened, closed, and emptied entirely by hand; and

(ii) 1. Are lifted by hand; or

2. May use power to assist lifting the tongs with a single lifting cable or rope attached at only a single point on 1 shaft of the tongs.

(2) “Tong” includes:

(i) Shaft tongs; and

(ii) Hand tongs.

(3) “Tong” does not include a patent tong.

(u) “Tong boat” means any boat on or from which tongs or patent tongs are used in catching oysters.

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